

RANDAZZA
LEGAL GROUP

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December 15, 2023

Via Electronic Filing and E-Mail

Hon. Cathy Seibel
The Hon. Charles L. Brieant Jr. Federal Building and United States Courthouse
300 Quarropas Street
White Plains, NY 10601-4150
<chambersnysdseibel@nysd.uscourts.gov>

***Re: Project Veritas, et al. v. James O'Keefe, et al., No. 7:23-cv-04533
Supplement in Support of Plaintiffs' Letter Motion for Alternate
Service as to Defendant Anthony Iatropoulos***

Dear Judge Seibel,

Undersigned counsel has the pleasure of representing Plaintiffs Project Veritas and Project Veritas Action Fund in the above-referenced matter. On November 30, 2023, the Court granted Plaintiffs' application for alternative service as to Defendant RC Maxwell (but not as to Defendant Anthony Iatropoulos), and, in so doing, ordered that:

Application for alternative service granted as to Defendant RC Maxwell. He is deemed, subject to any application he may wish to make, to have been served by email. But Plaintiffs should continue their efforts to locate a current address or email address for Defendant Iatropoulos. They earlier indicated that they had hired an investigator but have not set forth what efforts the investigator made. Even if online searching has been fruitless, I would imagine Plaintiffs could question individuals who know Mr. Iatropoulos. Plaintiffs shall update the Court no later than 12/15/23.

(ECF No. 26).¹ Pursuant to that order, Plaintiffs hereby provide the requested update as follows:

Plaintiffs have continued to do their due diligence as to locating Mr. Iatropoulos. However, as set forth below, an order formally permitting alternate service is now required. Having been unable to verify current addresses for Mr. Iatropoulos, and conscious of the pending deadline to effect service, on December 27, 2023, Plaintiffs have continued their attempts to serve Mr. Iatropoulos with the filings in this case, including the Court's November 30, 2023, Order (ECF No. 26) by alternate means as follows:

¹ On November 30, 2023, Defendant RC Maxwell was served that Order via e-mail and U.S.P.S. Priority Mail.

1. **Via U.S.P.S. Priority Mail to Mr. Iatropoulos' last known address.** On November 30, 2023, Plaintiffs mailed the service documents to 42 Union Street #22, Hillsdale, MI 49242. Tracking No. 9405 5036 9930 0630 9092 60. According to USPS, such was delivered on December 6, 2023.
2. **Via E-Mail to <a.iatropoulos@gmail.com>.** An e-mail to this address was sent on November 30, 2023, with read-receipt requested. However, such read-receipt has not been received. This e-mail address was discovered during Plaintiffs' continued search on November 30, 2023.
3. **Via E-Mail to <a.iatropoulos@protonmail.com>.** An e-mail to this address was sent on December 1, 2023, with read-receipt requested. However, such read-receipt has not been received.
4. **Via Skype.** On December 1, 2023, Plaintiffs located Mr. Iatropoulos's apparent Skype username "Twonulator" via his YouTube profile.² Counsel for Plaintiffs contacted Mr. Iatropoulos via Skype on December 1 & 2023, and again on December 13, 2023. A copy of the service packet, including summons and First Amended Complaint, was transmitted by Skype on December 13. No response was received for either attempt.
5. **Via Signal.** On November 30, 2023, Plaintiffs located Mr. Iatropoulos via the Signal messaging app, using his last known phone number (626) 390-4007. Counsel for Plaintiffs contacted Mr. Iatropoulos via Signal on November 30, 2023, December 7, 2023, and December 13, 2023. A copy of the service packet, including summons and First Amended Complaint, was transmitted by Signal on December 13. No response was received for these attempts. However, the Signal app indicates that Mr. Iatropoulos was delivered these messages, by identifying them with a double-check mark.³
6. **Via WhatsApp.** On November 30, 2023, Plaintiffs located Mr. Iatropoulos via the WhatsApp messaging app, using his last known phone number (626) 390-4007. Counsel for Plaintiffs contacted Mr. Iatropoulos via WhatsApp on November 30, 2023, December 7, 2023, and December 13, 2023. A copy of the service packet, including summons and First Amended Complaint, was transmitted by Signal on

² A Skype account matching Mr. Iatropoulos bore the user name "Twonulator". That same account name on YouTube (<https://www.youtube.com/@twonulator>) posted a video from Hillsdale College in 2022, when Mr. Iatropoulos was enrolled as a student. The Skype account lists his location as California, where Mr. Iatropoulos has been known to live.

³ See <https://support.signal.org/hc/en-us/articles/360007320751-How-do-I-know-if-my-message-was-delivered-or-read-> .

December 13. No response was received for these attempts. However, the WhatsApp app indicates that Mr. Iatropoulos was successfully delivered the November 30 message (the others having been marked as successfully sent).⁴ Additionally, Mr. Iatropoulos seems to be purposefully attempting to evade being located, having deleted his WhatsApp avatar of an graphic featuring Alex Jones.

Mr. Iatropoulos does not have an easily-identifiable social media footprint. Counsel for Plaintiffs have continued to perform significant searches to attempt to track down Mr. Iatropoulos, to determine whether Mr. Iatropoulos has newer contact information, but this has not been successful outside of locating an alternate e-mail address, Skype profile, WhatsApp profile, and Signal profile for Mr. Iatropoulos. Attempts to determine an alternate physical address for Mr. Iatropoulos has not been successful. Due to personnel changes, Plaintiffs are unaware of individuals who might be questioned who know Mr. Iatropoulos.

Investigator Darren Epstein, of Counter Intelligence Services, searched three investigative databases and conducted a credit header to attempt to locate Mr. Iatropoulos. The only results found by the investigator were the addresses provided to him by counsel for Plaintiffs. The investigator also ran a vehicle assets report in an attempt to locate a vehicle tag for Mr. Iatropoulos, which was unsuccessful and showed no current vehicles. As such, the investigator could not locate Mr. Iatropoulos. It is the opinion of the investigator that Mr. Iatropoulos may be residing with someone and not paying bills, homeless, or in jail. Plaintiffs have no reason to believe he is homeless or in jail.

In light of the foregoing, Plaintiffs respectfully request that the Court deem the electronic transmissions to Defendant Iatropoulos, who appears to be frustrating service by not responding, to have been sufficient and allow their motion for alternate service, deeming such Defendant as having been served by electronic means. *See, e.g., E-Global Alliances, LLC v. Anderson*, 2011 U.S. Dist. LEXIS 156044, *2 (S.D.N.Y. May 11, 2011)(noting order permitting a plaintiff to proceed, without prejudice to the defendants challenging service, where service has been frustrated, even by alternative means); *Mason Tenders Dist. Council of Greater N.Y. v. Wtc Contr.*, 2011 U.S. Dist. LEXIS 105643, *7 (S.D.N.Y. Sept. 16, 2011) (failure to accept delivery is strong evidence of a deliberate decision not to participate).

⁴ See

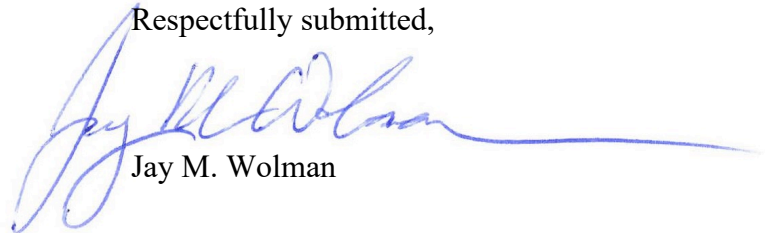
https://faq.whatsapp.com/665923838265756/?cms_platform=iphone&helpref=platform_switcher

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We appreciate the Court's continued attention to this matter.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jay M. Wolman", with a long horizontal flourish extending to the right.

Jay M. Wolman

cc: Counsel of Record